

**APPROVED BY ORDER # 3-06-80**

**MINUTES OF THE  
LINCOLN COUNTY BOARD OF COMMISSIONERS**

**MEETING OF MARCH 1, 2006**

**CALL TO ORDER**

Chair Don Lindly convened the adjourned session of the Lincoln County Board of Commissioners. Present at the meeting were Commissioner Bill Hall, Commissioner Terry Thompson, County Counsel Wayne Belmont, and Recorder Liz Sample. Also present were Barbara Dougherty, health prevention manager; Joel Gallob from the *News-Times*; Marilyn Heins, gambling counselor; Kiera Morgan from KNPT radio; Matt Spangler, planning and development director; Nicole Spivey, Health and Human Services dual diagnosis program coordinator; and Scott Willard, behavioral health division director.

**ROLL CALL - ESTABLISHMENT OF A QUORUM**

**RECOGNITION/PROCLAMATION**

**Proclaiming March 6-12, 2006 "Lincoln County Problem Gambling Awareness Week"**

Commissioner Hall read the proclamation for Lincoln County Problem Gambling Awareness Week. Marilyn Heins, gambling counselor, and Nicole Spivey, Health and Human Services dual diagnosis program coordinator, approached the Board to comment on the proclamation. Ms. Heins expressed her excitement for this opportunity in getting the word out to people regarding the programs that are available to problem gamblers and their families. She stated that lottery products sold in Lincoln County in 2005 amounted to \$14,500,000. Ms. Heins discussed the differences between the average gambler and the "problem gambler," stressing the devastating repercussions that occur within individual and family lives of problem gamblers. There will be ads in the newspapers and posters around the county informing people about the programs Lincoln County has to offer on the issue. Ms. Heins informed the Board that people who wish to contact the Health and Human Services department for information on help for problem gambling can call the State's helpline at 1-877-2-STOP-NOW, or Ms. Heins directly at (541) 265-6611, extension 2261. Individual, family, and group counseling are all available at no charge. Commissioner Hall commended the dedication of the team. He requested Ms. Spivey discuss the State's recognition of Ms. Heins' work. Ms. Spivey stated that Ms. Heins received the state award for treatment, and formulated her own successful protocol to engage clients in therapy. Ms. Heins discussed statistics and socio-economic status as associated with problem gambling.

Commissioner Hall made a motion to execute and record Resolution # 06-01-03A proclaiming March 6-12, 2006 "Lincoln County Problem Gambling Awareness Week." Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD  
RESOLUTION # 06-01-03A PROCLAIMING  
MARCH 6-12, 2006 LINCOLN COUNTY  
PROBLEM GAMBLING AWARENESS WEEK**

**ADOPTION OF CONSENT CALENDAR**

Chair Lindly introduced the Consent Calendar items. Counsel Belmont requested the Board pull item IV.E.1, a budget resolution that requires additional work, from the Consent Calendar. Commissioner Hall made a motion to approve the Consent Calendar as amended. Commissioner Thompson seconded the motion. The vote was taken and the motion passed unanimously.

**MOTION TO APPROVE CONSENT CALENDAR  
OF MARCH 1, 2006 AS AMENDED**

**CONSENT CALENDAR ITEMS**

*Minutes of the Board of Commissioners Meeting*

3-06-70 BOC Meeting Minutes of February 22, 2006

*Commissioner Appointments & Resignations*

*License Applications or Renewals*

*Tax Foreclosure, Right-of-Way, Sales and Deeds*

*General Budget Resolutions*

*Acting as Governing Body of County Wide Service Districts*

*Documents and Recording Matters in the Commissioners Journal*

3-06-71 Amendment between Oregon Health Science University and Lincoln County Board of Commissioners for CaCoon Services provided through Health and Human Services

**PUBLIC HEARING**  
**DECISION/ACTION**

**Lincoln County Economic and Community Development grant recipients**

Commissioner Hall commented that funding was given in whole or in part to 18 out of 50 project applications. He made a motion to execute and record Order # 3-06-72 regarding the Lincoln County Economic and Community Development grant recipients. Commissioner Thompson seconded the motion. Chair Lindly added that the money for this program comes from the video lottery in Lincoln County. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD ORDER #  
3-06-72 REGARDING THE LINCOLN COUNTY  
ECONOMIC AND COMMUNITY  
DEVELOPMENT GRANT RECIPIENTS**

Counsel Belmont noted that staff will prepare and send out individual grant awards for each of the recipients, with a special condition for the Port of Newport concerning a contingency that it obtain additional funds in order to receive this grant.

### **Measure 37 claims**

The Board had previously reviewed the following M-37 claims. Counsel Belmont stated that this is the first group of M-37 claims with which the County has dealt after the Supreme Court ruled that the measure is constitutional. Staff revised the orders to reflect the Supreme Court decision. He noted that notice is still being given to the claimants in the orders indicating that while the Supreme Court has ruled on the measure's constitutionality, there are still many provisions that are subject to interpretation. He added that the orders still include the requirement that if there is a state waiver required in addition to the county waiver, the county does not grant waivers for state law. He noted that the orders before the Board today are in draft form, and still need to be checked for grammatical errors. He requested the Board approve the draft orders, and staff will make any necessary changes. Chair Lindly requested motions for each claim, with the understanding that the orders are pending final review.

Commissioner Hall made a motion to approve Order # 3-06-73 regarding the Measure 37 claim of D.C. Lunstedt and L.H. Lunstedt, claimants, case file # 23-LURCC-05. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 3-06-73  
REGARDING THE MEASURE 37 CLAIM OF D.C.  
LUNSTEDT AND L.H. LUNSTEDT, CLAIMANTS,  
CASE FILE # 23-LURCC-05**

Commissioner Thompson made a motion to approve Order # 3-06-74 regarding the Measure 37 claim of Steven Buermann, claimant, case file # 24-LURCC-05. Commissioner Hall seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 3-06-74  
REGARDING THE MEASURE 37 CLAIM OF  
STEVEN BUERMANN, CLAIMANT, CASE FILE #  
24-LURCC-05**

Commissioner Hall made a motion to approve Order # 3-06-75 regarding the Measure 37 claim of David E. Peterson, claimant, case file # 25-LURCC-05. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 3-06-75  
REGARDING THE MEASURE 37 CLAIM OF  
DAVID E. PETERSON, CLAIMANT, CASE FILE #  
25-LURCC-05**

Commissioner Thompson made a motion to approve Order # 3-06-76 regarding the Measure 37 claim of Otto and Mary Lou Rice, claimants, case file # 26-LURCC-05. Commissioner Hall seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 3-06-76  
REGARDING THE MEASURE 37 CLAIM OF  
OTTO AND MARY LOU RICE, CLAIMANTS,  
CASE FILE # 26-LURCC-05**

Commissioner Hall made a motion to approve Order # 3-06-77 regarding the Measure 37 claim of John and Erma Jantzi, claimants, case file # 27-LURCC-05. Commissioner Thompson seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 3-06-77  
REGARDING THE MEASURE 37 CLAIM OF  
JOHN AND ERMA JANTZI, CLAIMANTS, CASE  
FILE # 27-LURCC-05**

Commissioner Thompson made a motion to approve Order # 3-06-78 regarding the Measure 37 claim of Carl and Carolyn Yaeger, claimants, case file # 28-LURCC-05. Commissioner Hall seconded the motion. A vote was taken and the motion passed unanimously.

**MOTION TO APPROVE ORDER # 3-06-78  
REGARDING THE MEASURE 37 CLAIM OF  
CARL AND CAROLYN YAEGER, CLAIMANTS,  
CASE FILE # 28-LURCC-05**

Chair Lindly asked Mr. Spangler if the County received any additional M-37 claims since the Supreme Court decision upholding the constitutionality of Measure 37 passed. Mr. Spangler responded that claims continue to come in to his office. Counsel Belmont added that now that claims have been processed, development applications and permits are going to be filed soon. Mr. Spangler could not estimate how many additional claims might be filed with the County. Counsel Belmont mentioned the issue of transferability that still has not been resolved.

**Lincoln County Health and Human Services Behavioral Health Treatment Services 2007-2009  
County Implementation Plan**

Scott Willard, behavioral health division director, and Barbara Dougherty, health prevention manager, approached the Board to present the plan. Mr. Willard introduced Anne Swinehart, the chair of the local alcohol and drug abuse planning committee, and Pat Neal, chair of the Lincoln Commission on Children and Families. He acknowledged staff who were present, as well.

Mr. Willard mentioned that the State asks the County to update its implementation plan every two years. He discussed instructions associated with the plan, including addressing services to older adults, as well as the children's mental health initiative. The State also requests the plan be reviewed, and commented on, by the Local Public Safety Committee.

Ms. Dougherty discussed the prevention services provided by the County. Health prevention receives \$100K biennially, and the department also actively pursues other funding sources. She discussed some of the funding sources.

Mr. Willard stated that the plan was developed as a collaborative process consisting of four different work sessions involving community partnerships. The notes from these work sessions are included in the plan. Commissioner Hall inquired about the State's use of the plan. Mr. Willard responded that the plan is reviewed by the staff of the State Office of Mental Health, and is merged with other plans to address legislative agendas. Complete copies are sent to the Governor's Council on Alcohol and Drug Abuse for review. Commissioner Hall requested that Mr. Willard share how the program is evolving from the medical model to the recovery model. Mr. Willard stated that the model mental health has used nationwide for many years is a medical model. He described the medical model. The recovery model addresses the fact that every person has issues that have to be dealt with, and how that person decides to live a healthy life, and direct his/her own recovery process. The Board mentioned it might be a good idea to bring the topic of the recovery model to the Board for a future discussion, with input from members of the participating committees and partnerships. Between the State block grants and the Medicaid capitation the County administers, the plan amounts to approximately three million dollars. Ms. Dougherty described the sources of funds she looks for to subsidize the areas that are lacking that are not covered by the State.

Commissioner Hall made a motion to execute and record Order # 3-06-79 regarding the Lincoln County Health and Human Services Behavioral Health Treatment Services 2007-2009 County Implementation Plan. Commissioner Thompson seconded the motion. Counsel Belmont noted that by executing and recording this order, the County has completed its statutory obligation to review and approve the plan, and is authorizing the chair to execute the document. A vote was taken and the motion passed unanimously.

**MOTION TO EXECUTE AND RECORD ORDER #  
3-06-79 REGARDING THE LINCOLN COUNTY  
HEALTH AND HUMAN SERVICES  
BEHAVIORAL HEALTH TREATMENT  
SERVICES 2007-2009 COUNTY  
IMPLEMENTATION PLAN**

**DISCUSSION/INFORMATION**

**BOARD OF COMMISSIONERS AS GOVERNING BODY OF COUNTYWIDE SERVICE DISTRICTS**

**REPORTS**

Commissioner Thompson announced his decision to run for another term for Lincoln County Commissioner. The Board members each commented on his pleasure in working with the County and the staff.

**EXECUTIVE SESSION**

The Board held an executive session pursuant to ORS 192.660(2)(e) to discuss real property transactions.

The Board held a second executive session pursuant to ORS 192.660(3)(d) to discuss labor negotiations.

**CONSTITUENT INPUT**  
**ADJOURNMENT**

The meeting adjourned at 11:40 a.m. These meeting minutes were read and approved this 8<sup>th</sup> day of *March 2006*.

**LINCOLN COUNTY BOARD OF COMMISSIONERS**

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**DON LINDLY, Chair**

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**BILL HALL, Commissioner**

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**TERRY N. THOMPSON, Commissioner**